

CU-2559 RJS

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/857873

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

INTERNATIONAL APPLICATION NO. PCT/US99/30693	INTERNATIONAL FILING DATE 22 December 1999	PRIORITY DATE CLAIMED 23 December 1998
TITLE OF INVENTION METHOD OF USING A CYCLOOXYGENASE-2 INHIBITOR AND ONE OR MORE ANTINEOPLASTIC AGENTS AS A COMBINATION THERAPY IN THE TREATMENT		
APPLICANT(S) FOR DO/EO/US OF NEOPLASIA John P. McKEARN et al		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)).
4. The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is attached hereto (required only if not communicated by the International Bureau).
 - b. has been communicated by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. are attached hereto (required only if not communicated by the International Bureau).
 - b. have been communicated by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 16 below concern document(s) or information included:

11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. A **FIRST** preliminary amendment. w/amended claim pages 233 & 234

 A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. A substitute specification.
15. A change of power of attorney and/or address letter.
16. Other items or information:

Express Mail Label No.:
EL698181195US

17. The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO	\$1000.00
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO	\$860.00
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO	\$710.00
International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4)	\$690.00
International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4)	\$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$ 860.00

Surcharge of \$130.00 for furnishing the oath or declaration later than 20 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	103	- 20 =	83	X \$18.00 \$ 1494.00
Independent claims	3	- 3 =	0	X \$80.00 \$

MULTIPLE DEPENDENT CLAIM(S) (if applicable)	+ \$270.00	\$
TOTAL OF ABOVE CALCULATIONS =	\$ 2354.00	

<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.	\$
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SUBTOTAL = \$ 2354.00

Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).	\$
+ \$	

TOTAL NATIONAL FEE = \$

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property	+ \$
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TOTAL FEES ENCLOSED = \$ 2354.00

Amount to be refunded:	\$
charged:	\$

a. A check in the amount of \$ 2354.00 to cover the above fees is enclosed.

b. Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.

c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 12-0400. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SIGNATURE:

Richard J. Streit

NAME

25765

REGISTRATION NUMBER

June 12, 2001

39/857873

531 Rec'd PCT/ 12 JUN 2001

DOCKET: CU-2559 RJS

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

APPLICANT: John P. McKEARN et al

TITLE: METHOD OF USING A CYCLOOXYGENASE-2 INHIBITOR
AND ONE OR MORE ANTINEOPLASTIC AGENTS AS A
COMBINATION THERAPY IN THE TREATMENT OF NEOPLASIA

COMPLETION OF PCT/US99/30693 filed 22 December 1999

The Commissioner for Patents (DO/EO/US)
Box PCT
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Dear Sir:

Please amend the application being filed herewith under 35 USC 371.

IN THE CLAIMS:

Please substitute the clean version of claim pages 233-234 attached herewith in place of original claim pages 233-234. A marked version of claim pages 233-234 is also attached herewith indicating the changes made therein.

REMARKS

It is noted that original claims 91-99 on original pages 233 and 234 were incorrectly numbered. Accordingly, the claims have been renumbered to be consecutive.

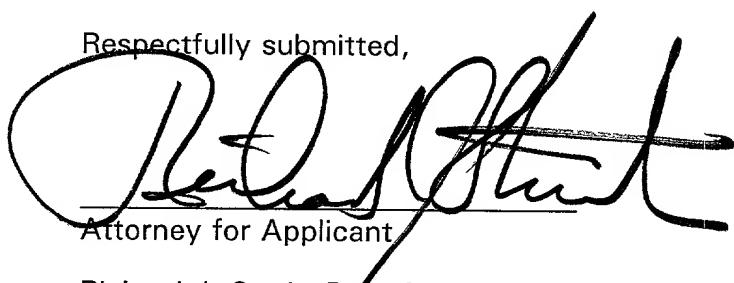
June 12, 2001

Date

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Respectfully submitted,

Attorney for Applicant



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